

**REMARKS**

Claims 1-15 are pending in this application. By this Amendment, claims 1-15 are amended to better distinguish over the applied references. Reconsideration in view of the amendments and following remarks is respectfully requested.

The Office Action rejects claims 1-3, 6-9 and 12-15 under 35 U.S.C. §102(e) as being anticipated by Shiota (U.S. Patent No. 6,625,334); claims 4 and 10 are rejected under 35 U.S.C. §103(a) over Shiota in view of Aoi (U.S. Patent No. 6,704,465); and claims 5 and 11 are rejected under 35 U.S.C. §103(a) over Shiota in view of Hatanaka (U.S. Patent No. 6,438,320). The rejections are respectfully traversed.

In particular, none of the applied reference disclose or suggest a file management apparatus for microscopes, including at least a structure information setting section enabling a user to arbitrarily set beforehand structure information that defines structure of a file name by showing a file name setting screen on a display, the file name being given to the microscope image data acquired by the image data acquiring section when the microscope image data is stored in a memory, as recited in independent claim 1, and similarly recited in independent claims 6, 7 and 12.

Specifically, Shiota discloses a filing method of transferring shot picture image data from memory cards in digital cameras to other memories such as hard disks in personal computers. Specifically, the filing process in Shiota reads image files from memory cards in cameras one by one, and refers to the recording property information included in those files. See Figure 2. For example, the theme title and date information is referred to from the recording property information, the file name to be used when transferring to another memory is decided, then the name is allotted when it is actually transferred. See column 5, lines 8-26. When the file name is already used, the identifying number included in the file name is changed.

Aoi discloses an image processing apparatus and method that simplifies a file operation of images recorded as a group of panorama images. See Abstract.

Hatanaka discloses a system for filing managing image data of an electronic camera so long as the image data is recorded by the same image pick-up apparatus. See Abstract.

In contrast to the claimed invention, none of the applied references disclose or suggest a file management apparatus for microscopes, including at least a structure information setting section enabling a user to arbitrarily set beforehand structure information that defines structure of a file name by showing a file name setting screen on a display, the file name being given to the microscope image data acquired by the image data acquiring section when the microscope image data is stored in a memory. On the contrary, nowhere in the applied references are these features disclosed or suggested.

Instead, Shiota discloses that the file names are decided by softwares. Therefore, programs decide the structure of the file names installed in the device in Shiota before shipping. This software enables Shiota to allot image file names that are not used when transferring the image files from memory cards to other medias to be realized in a device. Furthermore, the device in Shiota cannot arbitrarily change structures of file names while using the microscope, and the structures of file names cannot be changes unless the program is rewritten.

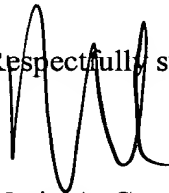
Because Shiota does not have the capability to change structures of file names whenever necessary, Shiota does not meet the needs of microscopes used in laboratories where plural scientists must share a microscope and find their own files among a mixed variety of image files. Finally, the file names in Shiota are given only when image files are transferred from a memory card to another media. Allotting names to files at the time of transfer will not solve problems that occur when plural people share one microscope.

Because Shiota fails to disclose these features, Shiota does not disclose each and every feature of the claimed invention. Furthermore, because Aoi and Hatanaka fail to compensate for deficiencies in Shiota, it would not have been obvious to combine the applied references to arrive at the claimed invention. Accordingly, it is respectfully requested that the rejections under 35 U.S.C. §102(e) and 35 U.S.C. §103(a) be withdrawn.

In view of the foregoing, this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-15 are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' attorney at the telephone number listed below.

Respectfully submitted,



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